

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

NICHOLAS MAYEDA,

Plaintiff

v.

CLARK COUNTY DETENTION CENTER, *et al.*,

Defendant

Case No. 2:24-cv-00250-CDS-MDC

**ORDER**

(ECF No. 4)

**I. DISCUSSION**

On February 15, 2024, the Court directed Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the \$405 filing fee. (ECF No. 3). In response, Plaintiff filed an incomplete application to proceed *in forma pauperis* (ECF No. 4). Plaintiff's application to proceed *in forma pauperis* is incomplete because **the financial certificate is not complete, and Plaintiff did not include an inmate trust fund account statement for the previous six-month period with the application.** The Court will deny Plaintiff's application without prejudice and give Plaintiff the opportunity to correct these deficiencies **by June 5, 2024.**

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account**

1 **statement for the previous six-month period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev.  
 2 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
 3 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.  
 4 See 28 U.S.C. § 1915(b).

5 As explained above, Plaintiff's application to proceed *in forma pauperis* is  
 6 incomplete. The Court will therefore deny Plaintiff's application to proceed *in forma*  
 7 *pauperis* without prejudice and grant Plaintiff an extension of time to either pay the filing  
 8 fee or file a new fully complete application to proceed *in forma pauperis* with all three  
 9 required documents.

## 10 **II. CONCLUSION**

11 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 4)  
 12 is denied without prejudice.

13 It is further ordered that Plaintiff has **until June 5, 2024**, to either pay the full \$405  
 14 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
 15 required documents: (1) a completed application with the inmate's two signatures on page  
 16 3, (2) a completed financial certificate that is signed both by the inmate and the prison or  
 17 jail official, and (3) a copy of the inmate's trust fund account statement for the previous  
 18 six-month period.

19 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
 20 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
 21 to refile the case with the Court, under a new case number, when Plaintiff can file a  
 22 complete application to proceed *in forma pauperis* or pay the required filing fee.

23 The Clerk of the Court is directed to send Plaintiff Nicholas Mayeda the approved  
 24 form application to proceed *in forma pauperis* for an inmate and instructions for the same.

25 DATED THIS 6th day of May 2024.

26  
 27   
 28 \_\_\_\_\_  
 Hon. Maximiliano D. Cuvillier III  
 UNITED STATES MAGISTRATE JUDGE